

E-Filed On 7/29/08

GORDON SILVER
THOMAS H. FELL, ESQ.
Nevada Bar No. 3717
E-mail: tfell@gordonsilver.com
MATTHEW C. ZIRZOW, ESQ.
Nevada Bar No. 7222
E-mail: mzirzow@gordonsilver.com
ERIC J. VAN, ESQ.
Nevada Bar No. 10259
E-mail: jvan@gordonsilver.com
3960 Howard Hughes Pkwy., 9th Floor
Las Vegas, Nevada 89169
Telephone (702) 796-5555
Facsimile (702) 369-2666
Attorneys for Debtor

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEVADA

In re:
PHOENIX NEVADA, LLC,
Debtor.

Case No.: 08-12814-LBR
Chapter 11

Date: September 3, 2008
Time: 1:30 p.m.

**NOTICE OF HEARING ON MOTION TO AMEND ORDER AUTHORIZING THE
RETENTION AND EMPLOYMENT OF MARCUS & MILLICHAP REAL ESTATE
INVESTMENT SERVICES OF NEVADA AS REAL ESTATE ADVISOR AND
BROKER TO THE DEBTOR**

NOTICE IS HEREBY GIVEN that a Motion To Amend Order Authorizing The Retention And Employment Of Marcus & Millichap Real Estate Investment Services Of Nevada As Real Estate Advisor And Broker To The Debtor ("Motion") was filed on July 29, 2008, by Phoenix, Nevada, LLC (the "Debtor"). The Motion seeks to have the Court issue an amended order (the "Amended Order") approving the employment of Marcus & Millichap Real Estate Investment Services of Nevada ("MM") as real estate advisor and broker for purposes of selling Building D of the Parc Place Office Complex in Las Vegas, Nevada (the "Complex"), located at 5836 South Pecos Road, Las Vegas, Nevada, in addition to MM's already-approved employment for purposes of selling Building I and Building J in the same Complex. The Debtor also requests that the Court approve an extension of the employment agreement (the "Employment Agreement") entered into between MM and the Debtor, attached as Exhibit "A" to the Declaration of Perry White in Support of Application for Order Approving Employment of

1 Marcus & Millichap Real Estate Investment Services of Nevada as Broker for Debtor [docket no.
2 47], to a term expiring 180 days after the entry of the proposed Amended Order. Any opposition
3 must be filed pursuant to Local Rule 9014(d)(1).

4 NOTICE IS FURTHER GIVEN that if you do not want the court to grant the relief
5 sought in the Motion, or if you want the court to consider your views on the Motion, then you
6 must file an opposition with the court, and serve a copy on the person making the Motion ***no***
7 ***later than 15 days*** after the date of this Notice. If the hearing date has been set on less than 15
8 days' notice, then the opposition must be filed and served ***no later than 5 business days*** before
9 the hearing. The opposition must state your position, set forth all relevant facts and legal
10 authority, and be supported by affidavits or declarations that conform to Local rule 9014(c).
11

12 If you object to the relief requested, you *must* file a **WRITTEN** response to this
13 Pleading with the court. You *must* also serve your written response on the person
14 who sent you this notice.

15 If you do not file a written response with the court, or if you do not serve your
16 written response on the person who sent you this notice, then:

- 17 • The court may *refuse to allow you to speak* at the scheduled hearing; and
- 18 • The court may *rule against you* without formally calling the matter at the
19 hearing.

20 **NOTICE IS FURTHER GIVEN** that the hearing on said Motion will be held before a
21 United States Bankruptcy Judge, in the Foley Federal Building, 300 Las Vegas Boulevard South,
22 Bankruptcy Courtroom No1, Las Vegas, Nevada 89101, on September 3, 2008, at the hour of
23 1:30 p.m.

24 DATED this 29 day of July, 2008

25 GORDON SILVER

26 By: 

27 THOMAS H. FELL, ESQ.
28 MATTHEW C. ZIRZOW, ESQ.
ERIC J. VAN, ESQ.
Attorneys for Debtor